

REMARKS

Claims 17-47 are pending. Applicants elect with traverse Group III (claims 17-24, 28-30 and 32-47) for examination on the merits. Applicants reserve the right to prosecute nonelected subject matter of Groups I-II and IV-IX in a divisional patent application to be filed in the future.

Notwithstanding the election of Group III, reconsideration of the requirement is requested because examination of all pending claims would not constitute a serious burden. Although the inventions identified by the Examiner are separately patentable, the claims of Groups III, VII and IX should also be examined in the same application. Thus, at least claims 25-27 and 31 should not be withdrawn from consideration.

Applicants respectfully disagree with the Examiner's finding a lack of unity. The special technical feature linking the claims is the combination of "adding a proline-specific and/or hydroxy-prolyl-specific endoprotease" and "adding an auxiliary enzyme" to the beverage. This combination of enzymes to prevent or reduce haze in a beverage is an unexpected advantage over the use of proline-specific and/or hydroxyl-prolyl-specific endoprotease alone.

The undersigned contacted the Examiner on January 30, 2009 to discuss the new requirement for two elections of in the second Office Action. In particular, it was noted that there were other claimed species beside the three auxiliary enzymes listed in claim 23. Auxiliary enzymes are limited to exoproteases and endoproteases in claim 18. Specific endoproteases and exoproteases are recited in claims 21/22/34 and claims 23/24/32/33, respectively. Therefore, it was agreed that two more elections of species should be made: the subgenus of endoproteases or exoproteases AND a specific endoprotease. This is Applicants' statement of the substance of the interview. If any other information is required to complete the record, the Examiner is invited to contact the undersigned.

Note that there are two different types of auxiliary enzymes recited in claim 18: exoproteases and endoproteases. The auxiliary enzymes listed by the Examiner in the Office Action are all exoproteases (see claim 23). To facilitate prosecution, Applicants are making the further elections suggested by the Examiner in the Interview Summary.

With regard to the election of species: (1) the auxiliary enzyme is an endoprotease (claims 17-22, 25-31 and 34-47), (2) the exopeptidase is a tripeptidylpeptidase (claims 17, 19-20, 23-33 and 35-47), (3) the endoprotease is an aspartic acid protease (claims 17-22, 25-31 and 34-47), and (4) the beverage is beer (claims 17-28, 31-37 and 39-47). But note that the claims other than claim 18 do not require addition of an endoprotease to the exclusion of an exoprotease. Also note that the residue in aspartic acid protease refers to its presence in the active center of the enzyme and not its substrate.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

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